

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SPV OSUS LTD.,

Plaintiff,

-against-

HSBC HOLDINGS PLC, HSBC BANK PLC,
HSBC BANK USA, NA, HSBC USA INC.,
HSBC SECURITIES SERVICES
(BERMUDA) LIMITED, HSBC
INSTITUTIONAL TRUST SERVICES
(BERMUDA) LIMITED, HSBC BANK
BERMUDA LIMITED, HSBC SECURITIES
SERVICES (LUXEMBOURG) S.A., HSBC
BANK (CAYMAN) LIMITED, HSBC
PRIVATE BANKING HOLDINGS (SUISSE)
S.A., HSBC PRIVATE BANK (SUISSE) S.A.,
HSBC FUND SERVICES (LUXEMBOURG)
S.A., SONIA KOHN, MARIO BENBASSAT,
ALBERTO BENBASSAT, STEHPANE
BENBASSAT, 20:20 MEDICI AG,
UNICREDIT BANK AUSTRIA AG, BA
WORLDWIDE FUND MANAGEMENT
LTD., UNICREDIT S.P.A., HERALD ASSET
MANAGEMENT LIMITED, EUROVALEUR,
INC., PIONEER ALTERNATIVE
INVESTMENT MANAGEMENT LIMITED,
ALPHA PRIME ASSET MANAGEMENT
LTD., REGULUS ASSET MANAGEMENT
LIMITED, CARRUBA ASSET
MANAGEMENT LIMITED, TEREIO TRUST
COMPANY LIMITED, GENEVALOR,
BENBASSAT ET CIE, HERMES ASSET
MANAGEMENT LIMITED, THEMA ASSET
MANAGEMENT (BERMUDA) LTD.,
THEMA ASSET MANAGEMENT LIMITED,
EQUUS ASSET MANAGEMENT LIMITED,
EQUUS ASSET MANAGEMENT
PARTNERS, L.P., AURELIA FUND
MANAGEMENT LIMITED, INTER ASSET
MANAGEMENT
INC., T+M TRUSTEESHIP &
MANAGEMENT SERVICES S.A., GTM
MANAGEMENT SERVICES CORP. N.V.,
AURELIA ASSET MANAGEMENT

Case No. 18 Civ. 3497

PARTNERS, CAPE INVESTMENT :
ADVISORS LIMITED and ERWIN KOHN, :
Defendants. :
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SECOND STIPULATED BRIEFING SCHEDULE

WHEREAS, on December 11, 2014, Plaintiff SPV OSUS Ltd. (“SPV”) filed a Summons and Complaint in the Supreme Court of the State of New York, County of New York, captioned *SPV OSUS Ltd. v. HSBC Holdings plc, et al.*, Index No. 162259/2014 (the “Action”);

WHEREAS, on March 28, 2018, SPV filed an amended complaint, which, among other things, added HSBC USA Inc. (“HUSI”) as a defendant;

WHEREAS, on March 29, 2018, SPV filed a corrected amended complaint, which solely corrected certain errors in the caption of the amended complaint (the “Amended Complaint”);

WHEREAS, on April 20, 2018, HUSI removed the Action to this Court (the “Removal Date”);

WHEREAS, on April 25, 2018, the Court entered a stipulated briefing schedule on Defendants’ motion to dismiss the Amended Complaint, which set certain time and page limitations for consolidated and supplemental individual briefing on the same (the “Stipulated Briefing Schedule”);

WHEREAS, on July 5, 2018, pursuant to the Stipulated Briefing Schedule, Defendants moved to dismiss the Amended Complaint and filed a consolidated brief (ECF No. 46) and certain supplemental individual briefs (ECF Nos. 49-54);

WHEREAS, on July 24, 2018, the Court entered an order permitting Plaintiff to file a further amended complaint;

WHEREAS, on August 15, 2018, Plaintiff filed its amended complaint pursuant to the Court’s order of July 24, 2018 (“Operative Amended Complaint”);

WHEREAS, the parties have met and conferred regarding a briefing schedule for Defendants' motion to dismiss the Operative Amended Complaint;

WHEREAS, in light of the numerous Defendants involved in this case, and in the interest of reducing the burden on the Court, the parties have agreed to a second consolidated briefing schedule;

NOW, THEREFORE, it is hereby stipulated and agreed (this "Stipulation"),¹ subject to the approval of the Court, as follows:

1. On or before September 21, 2018, Defendants shall file an amended consolidated memorandum of law in support of their motion to dismiss the Operative Amended Complaint (the "Consolidated Motion to Dismiss"). The Consolidated Motion to Dismiss shall not exceed fifty (50) pages in length.

2. On or before the date on which Defendants file the Consolidated Motion to Dismiss, any Defendant or group of Defendants may file an amended supplemental memorandum of law that raises additional or different grounds or arguments for dismissal that are specific to the particular Defendant or group of Defendants and have not otherwise been raised in the Consolidated Motion to Dismiss (each, an "Individual Supplemental Brief"). Each Individual Supplemental Brief shall not exceed ten (10) pages in length; provided, however, that if two or more Defendants join in one Individual Supplemental Brief, such Individual Supplemental Brief shall not exceed fifteen (15) pages in length.

¹ Plaintiff and Defendants otherwise reserve any and all of their respective rights and objections, including, without limitation, Defendants' right to object to jurisdiction, venue and service of process.

3. On or before the date that is 60 days from the date on which Defendants file the Consolidated Motion to Dismiss, Plaintiff shall file a consolidated memorandum of law in opposition to the Consolidated Motion to Dismiss (the “Opposition Brief”). The Opposition Brief shall not exceed fifty (50) pages in length.

4. On or before the date on which Plaintiff files the Opposition Brief, Plaintiff shall file a supplemental memorandum of law in opposition to each Individual Supplemental Brief (each, an “Individual Opposition Brief”). The Individual Opposition Briefs shall not exceed ten (10) pages in length; provided, however, that if two or more Defendants joined an Individual Supplemental Brief to which an Individual Opposition Brief responds, such Individual Opposition Brief shall not exceed fifteen (15) pages in length.

5. On or before the date that is 30 days after the date on which Plaintiff file the Opposition Brief, Defendants shall file a consolidated reply memorandum of law in further support of the Consolidated Motion to Dismiss (the “Consolidated Reply Brief”). The Consolidated Reply Brief shall not exceed twenty-five (25) pages in length.

6. On or before the date on which Defendants file the Consolidated Reply Brief, any Defendant or group of Defendants that filed an Individual Supplemental Brief may file a supplemental reply memorandum of law that raises arguments in reply that are specific to the particular Defendant or group of Defendants and have not been otherwise raised in the Consolidated Reply Brief (each, an “Individual Reply Brief”). Each Individual Reply Brief shall not exceed five (5) pages in length; provided, however, that if two or more Defendants join together in a single Individual Reply Brief, such Individual Reply Brief shall not exceed ten (10) pages in length.

Dated: August 23, 2018

CLEARY GOTTlieb STEEN &
HAMILTON LLP

Thomas J. Moloney by JMK
Thomas J. Moloney w/ permission
Diarra M. Guthrie
Samuel P. Hershey
One Liberty Plaza
New York, NY 10006
Telephone: 212-225-2000
Facsimile: 212-225-3999
tmoloney@cgsh.com
dguthrie@cgsh.com
shershe@cgsh.com

Attorneys for HSBC Holdings plc, HSBC Bank plc, HSBC Bank USA, NA, HSBC USA Inc., HSBC Securities Services (Bermuda) Limited, HSBC Institutional Trust Services (Bermuda) Limited, HSBC Bank Bermuda Limited, HSBC Securities Services (Luxembourg) S.A., HSBC Bank (Cayman) Limited, HSBC Private Banking Holdings (Suisse) S.A., and HSBC Private Bank (Suisse) S.A.

SULLIVAN & WORCESTER LLP

Mitchell C. Stein by JMK
Franklin B. Velie w/ permission
(fvelie@sandw.com)
Jonathan G. Kortmansky
(jkortmansky@sandw.com)
Mitchell C. Stein
(mstein@sandw.com)
1633 Broadway
New York, New York 10019
Telephone: (212) 660-3000
Fax: (212) 660-3001

Attorneys for Defendant UniCredit Bank Austria AG

YETTER COLEMAN LLP

Collin J. Cox by JMK
R. Paul Yetter w/ permission
(pyetter@yettercoleman.com)
Collin J. Cox
(ccox@yettercoleman.com)
James E. Zucker
(jzucker@yettercoleman.com)
Autry W. Ross
(aross@yettercoleman.com)
811 Main Street, Suite 4100
Houston, Texas 77002
Telephone: (713) 632-8000
Fax: (713) 632-8002

LAW OFFICE OF MATTHEW C. HEERDE

Matthew C. Heerde by JMK
Matthew C. Heerde w/ permission
(mheerde@heerdelaw.com)
222 Broadway 19th Floor
New York, New York 10038
Telephone: (347) 460-3588
Fax: (347) 535-3588

Attorneys For Plaintiff SPV OSUS Ltd.

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

Susan L. Saltzstein by JMK
Susan L. Saltzstein w/ permission
(susan.saltzstein@skadden.com)
Jeremy A. Berman
(jeremy.berman@skadden.com)
Four Times Square
New York, New York 10036
Telephone: (212) 735-3000
Fax: (212) 735-2000

Attorneys for Defendants UniCredit S.p.A. and Pioneer Alternative Investment Management Limited

GOODWIN PROCTER LLP

William P. Weintraub by JMK
William P. Weintraub *w/ permission*

(WWeintraub@Goodwinlaw.com)

Gregory W. Fox

(GFox@Goodwinlaw.com)

Elizabeth M. Zito

(EZito@goodwinlaw.com)

Marshall H. Fishman

(MFishman@goodwinlaw.com)

The New York Times Building

620 Eighth Avenue

New York, New York 10018

Telephone: (212) 813-8839

Fax: (212) 419-0964

*Attorneys for Defendant T+M Trusteeship &
Management Services S.A.*

DEBEVOISE & PLIMPTON LLP

Shannon Rose Selden by JMK
Shannon Rose Selden *w/ permission*

(srselden@debevoise.com)

919 Third Avenue

New York, New York 10022

Telephone: (212) 909-6000

Fax: (212) 909-6836

*Attorneys for Defendants Hermes Asset
Management Limited, Thema Asset
Management (Bermuda) Ltd., Thema Asset
Management Limited, Equus Asset
Management Limited, and Equus Asset
Management Partners, L.P.*

DUFFY AMEDEO LLP

Todd E. Duffy by JMK
Todd E. Duffy *w/ permission*

(tduffy@duffyamedeo.com)

Douglas A. Amedeo

(damedeo@duffyamedeo.com)

275 Seventh Avenue, 7th Floor

New York, New York 10001

Telephone: (212) 729-5831

Fax: (212) 208-2437

*Attorney for Defendants Alpha Prime Asset
Management Ltd., Regulus Asset
Management Limited, Carruba Asset
Management Limited, and Tereo Trust
Company Limited*

IT IS SO ORDERED.

DATED: _____

THE HONORABLE ALISON J. NATHAN
UNITED STATES DISTRICT JUDGE